

# Here We Go Again

## Unleashed CIA, Spying on Americans, Would Repeat History

By DON EDWARDS

James Madison would have understood my feeling of *deja vu* when I read Atty. Gen. William French Smith's speech to the Los Angeles World Council on Dec. 18.

In 1776, in a letter to Thomas Jefferson, Madison, the author of the Bill of Rights, wrote: "Perhaps it is a universal truth that the loss of liberty at home is to be charged to the provisions against dangers, real or pretended, from abroad."

Apparently close to hysteria, the attorney general told his audience in Los Angeles: "The threat to our government and its citizens from hostile intelligence services and international terrorist groups (has been) increasing dramatically . . . hostile intelligence agents increasingly operate in the United States under a number of guises."

He said these included diplomats ("about one-third of the Soviet Bloc personnel in the United States . . . are believed to be full-time intelligence officers") as well as students, scientists and reporters ("their ranks have been packed with full-time or part-time intelligence operatives") and trading company representatives, immigrants and refugees.

The crisis is so grave, said the attorney general, that the CIA must be unleashed to operate secretly within the United States, spy on Americans and engage in covert activities, all without any real accountability to the American people.

The attorney general did not mention in his speech that Congress decided back in 1947 that the FBI should have the responsibility for catching spies and protecting our national security within the United States, and that the FBI does the job well, generally without violating the rights of Americans.

He did not mention that, when the CIA was established by the 1947 law, Congress

specifically did not want that agency, an international organization with a secret budget and secret personnel, to spy on Americans here at home.

What the attorney general and his boss, President Reagan, have in mind for us follows a familiar pattern. The first step is to discover a crisis, or to invent one, then to tell the American people that only the Chief Executive can save us, but that this involves increased use of federal secret police and a loosening of constitutional safeguards.

The pattern has been repeated with dismaying results in American history:

In 1798, to cope with possible infiltration by French Jacobins, President John Adams induced Congress to pass the Alien and Sedition Acts. Several American journalists were jailed.

To "protect" us from Bolsheviks, Atty. Gen. Alexander M. Palmer had 2,700 aliens arrested from 1919 to 1921; 249 were deported.

Perceived by the federal government as likely traitors, 110,000 loyal Japanese-Americans were interned in 1941 in interior encampments.

In the 1950s, the FBI and the CIA in their search for "radicals" or "subversives" put thousands of Americans under surveillance and hundreds of thousands on "watch lists" in readiness for emergency detention. Senate and House committees found that, beginning in 1953, the CIA began a massive letter-opening program at two New York airports. By 1973, when the program was halted by the Post Office Department, the CIA had reviewed 28 million pieces of mail, photographed 2 million envelopes and opened 216,000 letters.

Now is it about to happen again? The attorney general's Los Angeles speech applauded the newly signed executive order authorizing the CIA to operate secretly

within the United States. Already the Justice Department admits that the bugging and surveillance of ordinary Americans have increased. Accompanying all this is a Reagan assault on laws designed to allow the American people to oversee what their government is doing—the Freedom of Information and Privacy Acts. And a Reagan task force has drafted a proposal making it easier to classify documents as secret and far more cumbersome to ever declassify such documents.

Is the danger from abroad real, threatening enough to justify this executive department assault on our liberties? Let's look at the statistics:

—Terrorist incidents within the United States decreased from 52 in 1979 to 29 in 1980.

—The President this year asked for less money than last year for the FBI's anti-terrorist work—\$10.5 million, a decrease of \$286,000.

—The President's budget request for the FBI's terrorism section resulted in a personnel reduction of 21 positions.

The FBI has been silent with regard to the frightening dangers described by the attorney general.

Reagan supports the plans of the attorney general. But we must remember that, in the last analysis, it is the Constitution, not the President or the attorney general, that must rule the government's actions. We should also remember what Madison said in 1788: "I believe there are more instances of the abridgement of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations."

*Don Edwards (D-Calif.) is chairman of the House subcommittee on civil and constitutional rights.*